

R. K. K. J.
ORIGINAL

PROSKAUER ROSE LLP
 Russell L. Hirschhorn
 Kevin J. Pflug
 1585 Broadway
 New York, New York 10036-8299

Attorneys for Plaintiff
Board of Trustees of the UFCW Local 174 Pension Fund

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

BOARD OF TRUSTEES OF THE UFCW
 LOCAL 174 PENSION FUND,

Plaintiff,

v.

SONNY'S 10th AVENUE MEAT
 MARKET,

Defendant.

08 Civ. 5304 (JSR)

DEFAULT JUDGMENT

8/27/08 — For the reasons stated today from the bench, see transcript, this motion is denied without prejudice.

SO ORDERED

[Signature]
 JSR

This action having been commenced by the filing of the Summons and Complaint on June 10, 2008, and true copies of the Summons and Complaint having been served upon the defendant, Sonny's 10th Avenue Meat Market, on June 19, 2008 by Jessica Miller upon Chad Matice, an agent of the Secretary of State of the State of New York, pursuant to Section 306 of the Business Corporation Law of the State of New York, and proof of service having been filed with the Court on June 24, 2008, and the defendant not having answered the Complaint, and the time for answering the Complaint having expired, it is

ORDERED, ADJUDGED AND DECREED: That the plaintiff have judgment against the defendant in the amount of \$238,673.87, computed as follows: a) \$218,125.00 for

withdrawal liability, b) \$16,359.37 for accrued interest calculated at the rate of 7.5% as per 29 C.F.R. § 4219, c) \$354.00 for costs, and d) \$3,835.50 for attorneys' fees.

Dated: New York, New York
_____, 2008

DENIED

Hon. Jed S. Rakoff
United States District Judge

This document was entered on the docket
on _____.